IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 17534 of 2004

Between:

C.Sangappa, s/o C.Narasappa,
r/o Karankote Village, Tandur (M),

Ranga Reddy District.

..... PETITIONER

AND

1. Cement Corporation of India Ltd.,

Scope Complex, Lodhi Road, New Delhi,

rep., by its Chairman and Managing Director.
2. The General Manager, Cement Corporation of India Ltd.,
Karankote, Tandur Mandal, Ranga Reddy District.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction in the nature of writ of mandamus declaring the action of the respondents in not considering the petitioner's application dt.11-6-2003 and representation dt.21-5-2004 is highly arbitrary, illegal and un-constitutional and subsequently to direct the respondents to allow the petitioner to work and pay the salary upto date in the interest of justice.

Counsel for the Petitioner: MR.D.V.N. ACHARYA

The Court at the stage of admission made the following

ORDER:

The petitioner is a trolley checker of the respondent-Corporation. He contends that in pursuance of a scheme of Voluntary Retirement Scheme (for short 'V.R.S.') dated 01-06-2003 introduced by the respondent-Corporation,
the petitioner made an application on 10-06-2003 for the benefit of V.R.S. He contends that on the next day i.e.,
11-06-2003 he submitted another application for withdrawal of his consent for V.R.S. The contention of the petitioner is that the respondent-Corporation without considering his application for withdrawal of his consent not allowed him to work from
11-06-2003 and is not paying any salary to him.

The petitioner further contends that on 21-05-2004 he made a representation to the second respondent bringing to his notice about the application made by him on 11-06-2003 for cancellation of his consent for V.R.S. But no orders have been passed so far. The petitioner, therefore, approached this Court through this Writ Petition to declare the action of the respondent in not considering his application dated 11-06-2003 for withdrawal of his consent for V.R.S. as illegal, arbitrary and

unconstitutional.

Having regard to the facts and circumstances explained by the petitioner, the first respondent is directed to verify whether the petitioner submitted any application on 11-06-2003 withdrawing his consent for V.R.S. and if such application is made, the first respondent shall pass appropriate orders on it, within four weeks, from the date of receipt of a copy of this order. The respondents are further directed to examine as to why the petitioner is not being allowed to work. If it is for specific reasons, the said fact may be communicated in writing to the petitioner within the above time.

The Writ Petition is accordingly disposed of. No costs.

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Dr. G. Yethirajulu, J

30th September, 2004

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To

1. The Chairman and Managing Director,

Cement Corporation of India Ltd.,

Scope Complex, Lodhi Road, New Delhi,

2. The General Manager, Cement Corporation of India Ltd.,
   Karankote, Tandur Mandal, Ranga Reddy District.

3. Two CD copies